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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT TACOMA

11 RONALD K. JOHNSON,

12 Plaintiff,

13 v.

14 RONALD VAN BOENING, *et al*,

15 Defendants.  
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Case No. C07-5426RBL-KLS

ORDER REGARDING  
PLAINTIFF'S MOTION FOR  
ENLARGEMENT OF TIME TO  
SERVE PROCESS

17 This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. §  
18 636(b)(1), Local Rules MJR 3 and 4, and Federal Rule of Civil Procedure 72. The case is before the  
19 Court on plaintiff's filing of a motion for enlargement of time to serve process. (Dkt. #38). After  
20 reviewing plaintiff's motion and the balance of the record, the Court finds and orders as follows:


21 In his motion, plaintiff requests an enlargement of time until August 30, 2008, to serve process,  
22 stating that he has not been able to obtain his mail at will, thereby "giving rise to a delayed response to"  
23 this Court's order. (Dkt. #38). It is not clear exactly to which order plaintiff is referring. The most recent  
24 order the Court issued in this case, is the one directing service, dated April 28, 2008. (Dkt. #19). Further,  
25 the only two defendants that appear to not have been properly served are defendants Corrections Officer  
26 Woody and Ronald Van Boening, whose return of service came back unexecuted, although it is not clear  
27 why that occurred. (Dkt. #36-#37).

28 To the extent plaintiff's request for an enlargement of time is for the purpose completing service

1 of process on those two defendants, that request shall be granted. Specifically, plaintiff shall have until  
2 **no later than September 20, 2008**, in which to provide the Court with accurate mailing address  
3 information, so that the Court may re-attempt service by mail on them. If instead plaintiff seeks to  
4 complete service on those defendants himself, he shall do so and provide proof such service has been  
5 properly completed by that same date. **Failure to so respond to this Order by the above date may be**  
6 **treated as a failure to prosecute this matter resulting in a recommendation of dismissal thereof.**

7 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

8 DATED this 21st day of August, 2008.

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12 Karen L. Strombom  
13 United States Magistrate Judge  
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